

REMARKS

1. Consideration and entry of the amendments in view of the remarks herein is respectfully requested.

2. Restriction Requirement and Election

In the parent application, the Examiner had requested restriction to one of three inventions under 35 USC 121. **Group I** for Claims 1-35 drawn to a functional optical material; **Group II** for Claim 36 drawn to a phosphonitrile polymer; **Group III** for Claims 37 and 38, drawn to organic compounds.

For the present application, Applicant hereby preliminarily elects **Group III** for Claims 37 and 38 for prosecution in the present application. Applicant requests that Claims 1-36 be cancelled without prejudice. Said claims are cancelled solely for the purpose of prosecuting the elected claims and bringing the present application to allowance and issuance. Applicant reserves the right to file divisional and continuation applications on any claims not elected and prosecuted in the present application.

3. Amended Claims

Claims 37 and 38 have been amended by adding a period at the end of the claim (after the formula), to put the claims in proper format.

4. New Claims

New Claims 39 through 41 are presented. Claims 39 to 40 are method claims for making the compounds of Claims 37 and 38.

Antecedent is found at page 69, line 6 through page 70, line 4.

Claims 39 and 40 are methods for making the compound of Claim 37 and are intended to follow that claim. Please refer to page 69, lines 6 through 14.

Claims 41 and 42 are methods for making the compound of Claim 38 and are intended to follow that claim. Please refer to page 69, line 6 through line 13, and page 70, line 1

through line 4.

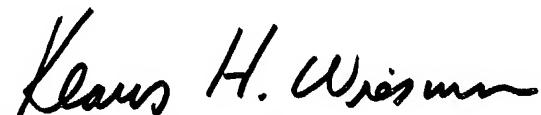
It is believed that no new matter is added by this amendment as the subject matter of the new claims has antecedent in the specification.

5. Inventorship

Applicant has reviewed the issue of inventorship for the claims remaining in the application and the new claims. This review has confirmed that both of the two inventors, Vincent D. McGinniss and Steven M. Risser, are still the correct inventors for the remaining claims.

In view of the above amendments, and remarks it appears that the application is in condition for examination on the merits and favorable action thereon is requested. If the Examiner has some issues with the application, and has any suggestions as to how to address them, the Examiner is invited to call the Applicant's undersigned attorney at the phone number given below, so that those issues can be worked out.

Respectfully submitted,



Klaus H. Wiesmann
BATTELLE MEMORIAL INSTITUTE
505 King Avenue
Columbus, Ohio 43201-2693
June 20, 2003

Registration No. 30,437

Phone (614) 424-6589
Fax (614) 424-3864
Email wiesmann@battelle.org

Customer No. 24116